

MINUTES
SELECT BOARD
TOWN OF PETERBOROUGH
Tuesday, September 3, 2013 – 5:00pm
1 Grove Street, Peterborough, New Hampshire

Present: Joe Byk, Barbara Miller

Also Present: Pamela Brenner, Rodney Bartlett, Nancie Vaihinger, Nicole MacStay

Chair Byk called the meeting to order at 5:00pm.

Phil St. Cyr Primex Recognition Ceremony

Mr. St. Cyr presented the Select Board with a certificate of Prime recognition. He explained that this is a discount on Workers Compensation insurance and Property and Liability coverage. This program caused the town to review safety policy and programs, and review losses. Peterborough is one of the better performing towns in our pool. **Chair Byk** said that the headlines that don't make into the paper say more than those that do - you are all doing a great job keeping things running smoothly.

Shawn Reynolds – Request for Refund of Utility Charges

Chair Byk began by saying that Mr. Reynolds believes that he has been overcharged by the town - we have individually spoken with Ms. Vaihinger and gone over your file - from the outset that a lesson I learned was that in civil law you can do whatever you want, unless the law says you can't; municipal law says that you can't do anything, unless there is a law that says that you can. We do not have discessionary power, and we must meticulously follow procedure.

Mr. Reynolds said that though Mr. Bartlett and other town staff have been helpful, he felt that he had no choice but to take this issue to the Board. He handed out a history of the utility billing at the property and showed that since May of 2009 there have been significant problems with the billing of water used at his home. The water meter was repaired in August of 2011. Prior to May of 2009 the billing was much lower. He explained that he has recently learned that the mortgage company has paid his water bills, and he is now asking to have the amount that he believes he has been overcharged reimbursed.

Ms. Miller asked how many years of bills have been paid by the mortgage company; **Mr. Reynolds** said that they paid \$14,000 last year, which includes interest. **Chair Byk**, noting that the amount the mortgage company paid included back taxes, asked why Mr. Reynolds didn't say anything when he received his bill in 2009, or when he received a notice of tax lien; **Mr. Reynolds** said that he doesn't know, but said that there had been some issues with one of their children which was consuming their attention at the time.

Ms. Miller said that she had a copy of a utility bill, and asked Mr. Reynolds if he has ever read the back of the bill which states the town's abatement policy; the request for abatement has to be put into writing, and that any unpaid bills will be applied to taxes, and will be liened, which is why the mortgage company paid the bill; **Mr. Reynolds** said that he was aware of the town's abatement policy. **Ms. Brenner** said that she is sympathetic that particularly in the last few years even people who regularly pay their bills on time have had difficulty and that she monthly hears from people that didn't know they had to put in an abatement request within a certain time frame. However, there

are time limits, and once the town gets past a fiscal year, the books are shut on us. **Chair Byk** said that the appeal period passed four and a half years ago, and the Board had no choice but to deny his request. **Mr. Reynolds** said that he is disappointed, but thanked the Board for their time.

Rodney Bartlett – Legacy Woods Road Discussion

Mr. Bartlett said that as part of the process to verify parcel ownership to give notice of the betterment assessment staff has compiled the plans for the development and overlaid them with our GIS mapping. From this it was determined that the planned roadway may not be within the right-of-way. To correct that, the town may need to complete a full roadway layout and survey. We will also need to determine that all the parcel layouts are correct, and to do that we need to do the deed research. Having said that, I am recommending that we designate Legacy Lane and Robbe Farm Road as emergency lanes as allowed by RSA 231:59-a, allowing the town to accomplish any maintenance necessary to keep the roads open for emergency services, including winter maintenance and repairs. There was further discussion about the necessary deed research and survey work. **Chair Byk** requested that a public hearing be scheduled to consider the emergency road designation.

Review and approval of Select Board Minutes and Non-Public minutes of July 2, 2013

Motion:

Ms. Miller made a motion to accept the minutes as written; **Chair Byk** seconded.

Vote:

Ms. Miller and **Chair Byk** voted in favor of the motion; the motion carried.

Rodney Bartlett – Parking Studies Update

Chair Byk said that over the years the town has done a number of studies on parking in the downtown. The issue arose at the last meeting because a merchant asked that the Board increase the time on some downtown spaces from two to three hours. After having looked through most of the material that was provided in the meeting packet, it seems that a report written by Chief Guinard had a number of very specific and doable recommendations for signage and traffic control devices. **Chair Byk** asked **Mr. Bartlett** to begin by speaking to those particular recommendations since they seem to be quite practical. **Mr. Bartlett** said that he went back as far as 1997 and looked at the different reports and recommendations. In 1997 there were 835 public/private spaces in the downtown area; today there are 854. When you look at traffic circulation there are three different demands, the 309 all day, short-term and intermediate parking, three to four hours. Most of the parking is private, and is controlled by the owners. The long-term parking fits well along the river and at the Fire Department, and the westerly side of Main Street is also all-day parking. Short-term parking is focused on Main Street and Grove Street, and seems to function well. There is a demand for intermediate parking. **Mr. Bartlett** said that if the Board is interested in holding a public hearing, it makes sense to look at converting the municipal lot off of Wall Street to three to four hour parking, and convert the twelve spaces behind the Diner to all-day parking. **Chair Byk** asked that a public hearing to consider those recommendations be scheduled.

Request to appoint Debra Caplan as Alternate Library Trustee

Motion:

Chair Byk made a motion to appoint Debra Caplan as an alternate Library Trustee; **Ms. Miller** seconded.

Vote:

Chair Byk and **Ms. Miller** voted in favor of the motion; the motion carried.

Collective Bargaining Agreement with Teamsters Local 633

Mr. Bartlett said that Teamsters Local 633 represents the contract that covers most of Public Works. He explained that the negotiations worked out a number of language issues, and has resulted in a contract that is of a four-year duration. He then reviewed the various language changes with the Board, as outlined in the memo included in the packet.

Motion:

Chair Byk made a motion to approve the contract as negotiated; **Ms. Miller** seconded.

Vote:

Chair Byk and **Ms. Miller** voted in favor of the motion; the motion carried.

NH Homeland Security and Emergency Management Grant Application

Mr. Bartlett explained that several months ago, in cooperation with Chief Lenox, Chief Guinard and Fash Farashahi, we looked at how we can better address the Emergency Operations Center Needs of the Town and Central Dispatch at the Police Department. To do that, the emergency backup generator needs to be replaced, and a fiber connection from the Police Department to the Town House and the Fire Station needs to be constructed. This fiber connection would allow continued communications to the servers located in the Town House during an emergency, and would also allow us to complete back-ups on a regular basis to a safe location.

Motion:

Chair Byk made a motion that the town apply for, accept and expend funds for the "Improvements to and for the Emergency Operations Center to be located at the Police Station to include emergency generator upgrades, equipment, and a town-owned fiber connection from Police to the Town House, to the Fire Station, and other improvements as necessary" and further to authorize the Town Administrator to execute any documents which may be necessary to effectuate these improvements; **Ms. Miller** seconded.

Vote:

Chair Byk and **Ms. Miller** voted in favor of the motion; the motion carried.

Solar Grant Application Update

Mr. Bartlett said that the application submitted to the PUC is still in the running. The submitting team participated in an interview with the Selection Committee at the PUC. We believe that with the power purchasing agreement and net metering, the way the proposal is financially structured is very attractive.

Ms. Brenner introduced Cosima Link, Administration Intern, to the Select Board. **Ms. Brenner** said that Ms. Link is a German university student who is interested in learning more about American government, and will be with the town for a month. Ms. Brenner also announced that Alex Oakes will be leaving the town for a job opportunity in Maine. The Select Board thanked Mr. Oakes for his work with the town, and wished him well in his new position.

As there was no further business, **Chair Byk** made a motion to adjourn; **Ms. Miller** seconded. All in favor, the meeting adjourned at 6:46pm.

Respectfully Submitted,
Nicole MacStay, Assistant Town Administrator

PETERBOROUGH
SELECT BOARD:



Joe Byk, Chair

Barbara A. Miller



Elizabeth M. Thomas

ACTION ITEM PENDING LIST

1.